

U.S. DISTRICT COURT
DISTRICT OF VERMONT

UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT

FILED

2005 OCT 19 AM 10 57

SIMONNE DODGE,

Plaintiff,

v.

LANDSTAR SYSTEM, INC.

Defendant.

Case No.

BY CLERK
DEPUTY CLERK

2:05-cv-281

PRELIMINARY STATEMENT

1. This is a negligence action to recover damages for the negligent operation of a truck that resulted in severe injuries to the plaintiff.

PARTIES

2. Simonne Dodge is a citizen of the State of Vermont.
3. Defendant Landstar System, Inc., a corporation. It is incorporated in a state other than Vermont and its principal place of business is outside of the state of Vermont.
4. James C. Dodge, Sr. was the driver of the truck at issue.

JURISDICTION

5. This court has jurisdiction over this matter pursuant to 28 U.S.C. §1332(a)(2), diversity of citizenship, there being in excess of \$75,000 at issue, exclusive of interest and costs.

FACTS

6. On July 28, 2004, James C. Dodge, Sr., was operating a truck with trailer under contract to Defendant Landstar System, Inc., delivering a load on behalf of Defendant.
7. James C. Dodge, Sr. was authorized to act and was an agent for Landstar System, Inc. in the operation of the truck.

NEGLIGENCE

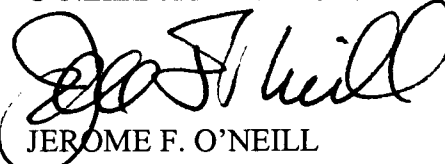
8. James C. Dodge, Sr. was negligent in the operation of the truck on July 28, 2004 in Raymond, Washington which proximately caused injuries to the plaintiff.
9. The negligence of James C. Dodge, Sr. in the operation of the truck while delivering the Landstar load is attributable to Defendant Landstar System, Inc.

DAMAGES

10. Plaintiff has incurred medical bills exceeding \$700,000, lost income and incurred other expenses. She has suffered severe and permanent personal injuries as a result of the accident described in this complaint.

WHEREFORE, Plaintiff demands judgment against defendant in an amount in excess of \$75,000, the minimum jurisdictional amount of this Court, and such other relief as may be available to her.

O'NEILL KELLNER & GREEN

A handwritten signature in black ink, appearing to read "J. F. O'Neill", is written over the printed name.

JEROME F. O'NEILL

Attorneys for Plaintiff

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October 17, 2005